

AFFIDAVIT OF PARENTAGE

INSTRUCTIONS FOR COMPLETION

The Affidavit of Parentage form (MDCH form DCH-0682) is designed to permit establishing the paternity of a child. By using this form, unwed parents can voluntarily and legally establish a child's paternity. When the form is properly completed and filed with the state registrar the child's parentage is established and a permanent record of the acknowledgment created. There is no fee for filing the form, however there is a charge for certified copies of the filed form. An acknowledgment of paternity is also necessary if the father is to be listed on the certificate of birth for the child born to an unmarried couple.

Completing the form is generally quite simple. These instructions are intended to clarify how the items on the form are to be completed and any special considerations of importance in completing the form. It is most important that the form be fully completed and be legibly printed or typed. Black ink is recommended and is required by some courts.

Cross outs or other alterations are not acceptable. Forms that are not properly completed will not be accepted for filing.

Forward completed affidavits to:

Central Paternity Registry
Vital Records & Health Data Development Section
Michigan Department of Community Health
P.O. Box 30691
3423 N. Martin Luther King Jr. Blvd.
Lansing, Michigan 48909

REVISED PROCEDURES

The procedures for filing these affidavits changed on June 1, 1997 when Act 305 of 1996 took effect. This new law, called the Acknowledgment of Parentage Act, shifts the filing of the affidavit from the probate court to the Michigan Department of Community Health. All affidavits that will be filed on and after June 1, 1997 must be sent to the Central Paternity Registry for filing. There are some important points relative to this change that need to be explained.

The historical filings of paternity acknowledgments within the probate court will remain within the court. In attempting to obtain a certified copy of a filed affidavit, it is the date of filing that will determine the location of the acknowledgment and not the date of a child's birth.

The filing of an affidavit of parentage after the birth of the child does not cause the birth certificate of the child to be changed. Application to change a birth certificate is a separate procedure that requires a separate application form and a fee. This procedure is discussed on the reverse of the Affidavit of Parentage form.

The statute requires that the person notarizing the form provide the couple with a copy of the completed affidavit.

STATEMENTS TO BE AFFIRMED

The upper portion of the form contains the statements to which the couple states are true. It is important to understand that each parent is attesting:

- ! that they are the child's parents,
- ! that they wish to acknowledge the child's paternity,
- ! that they wish to have the father listed on the certificate of birth for the child,
- ! that they consent to the filing of the form with the state registrar,
- ! that the mother was unwed at the conception and birth of the child or, if married, a court has determined her husband to not be the father,
- ! that they are stipulating the child's name as they wish it listed on the certificate of birth for the child.

The form lists seven points relative to the acknowledgment being signed that the parents must indicate they understand. These are:

- ! that the affidavit is a legal public record,
- ! that completion of the form is voluntary,
- ! that the mother is presumed to have custody of the child unless a custody has otherwise determined by a court or agreed by the parties in writing,
- ! that either parent may assert a claim for parenting time or custody,
- ! that both parents have a right to notice and a hearing regarding the adoption of the child,
- ! that both parents have the responsibility to support the child and to comply with administrative and court orders for child support,
- ! that the right to blood testing, the right to an attorney and to a trial to determine the biological father of the child are waived by signing the acknowledgment.

PROPER COMPLETION OF THE FORM

It is important to complete the form as fully as possible and to insure the accuracy of the information recorded. Type or print legibly. Black ink is preferred. For items that are unknown, enter "unknown" rather than leave the item blank.

The form requires reporting information about the child within a section that also affirms that the act of signing the form is attesting to the parentage of the identified child. To complete affirmation section, enter:

Name of Child at Birth

It is important to record the name given the child when first born. This will clearly indicate the relation between the child as named when the birth was first recorded and as named following acknowledging parentage. When the form is completed in the hospital and at the time of birth these names are generally the same.

Be sure to enter the full first, middle and last names for the child. If the child is a newborn that is not yet named, enter the last name preceded by baby boy or baby girl.

Place of Birth

The place of birth should be hospital name, city, county and state. If not precisely known, entering the city but not county, county but not city, or perhaps, just the state of birth is acceptable. This item must be completed for the affidavit to be accepted for filing.

Date of Birth

Enter the month, day and the year that the child was born. This item must be completed accurately. It is best to spell the month of birth.

This item must be completed for the affidavit to be acceptable for filing.

Child's Name on the Birth Certificate

List the full name of the child exactly as it is wished to appear on the child's birth certificate. It is important to properly indicate the first name, middle name and the last name so it appears correctly on the birth certificate. If the child will have a surname suffix include this with the last name.

Note: This form may be completed and filed but not used to change the certificate of birth for the child. Once the child's birth is registered with the state, completing and filing this form will not cause the birth record to be changed. Application to change the birth certificate must be made by completing a separate application and submitting it to the Michigan Department of Community Health, Division for Vital Records and Health Statistics. See the reverse side of the Affidavit for more information. This application process is explained within the instructions on the opposite side of the affidavit.

Information on the Parents

This section records key information on each parent. Though the form can be signed and notarized separately by the mother and the father, it is very important to complete the information on each parent before either signs the form.

Name

List the full legal names of each parent as the date the affidavit is being completed. It is important to list the first, middle and last name along with any surname suffix.

This information identifies the parents and is also used for listing the father on the birth certificate.

The names of each parent must be completed for the affidavit to be accepted for filing.

Current Address

List the number and street name, city, state and zip code address for each parent.

The information in this section identifies the parents specifically.

Date of Birth

Enter the date of birth for each parent. Supply the month, day and year. It is best to spell the month of birth.

The information further identifies the couple and, in the case of the father, will be used in preparing the certificate of birth for the child, as appropriate.

Place of Birth

Enter the state of birth for each parent. If either parent was not born within the US, enter their country of birth.

These items must be completed for the affidavit to be accepted for filing.

Social Security Number

The Social Security Number of each parent is an identifier field.

Should a parent not have a number enter "none."

For foreign citizens, do not enter an equivalent number from outside the USA.

Signature of Father and Mother

The signature must be properly entered, must be original and must be in ink. Black ink is recommended. The original signature of each parent must be completed for the affidavit to be accepted for filing.

Each parent may sign separately, but each signature must then be independently notarized.

NOTARIZATION SECTION

This section is critical to the form having legal effectiveness. The purpose of notarization is to comply with the requirements of law relative to establishing paternity. Those requirements are clearly intended to insure the proper identity of each parent and the authenticity of each signature. Errors in notarization will generally necessitate that the Vital Records and Health Data Development Section will refuse to file the form. In such cases, a new affidavit would need to be prepared for filing.

Note that under the Acknowledgment of Parentage Act, the mother and father shall be provided with a copy of the completed acknowledgment at the time of signing. It is important that the person notarizing the form provides these to the couple.

Date Signed

Enter the date as the day, followed by the month and then the year. Entering words for the date rather than numbers is recommended, as in the 20th day of January 1994.

County

List the county within which the notary was appointed.

Notary Signature

A duly authorized and appointed notary public must sign the form. The signature will indicate that they personally witnessed the parent sign the form and that the parent has been identified as the individual listed on the form.

A separate signature is required for each parent.

Commission Expiration

Enter that date that the current commission of the notary expires, as supplied by the Secretary of State's Office. It is, again, best to spell the month.